

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**UNITED STATES COMMODITY FUTURES
TRADING COMMISSION,**
Plaintiff,

v.

**ERIC MONCADA; BES CAPITAL LLC; and
SERDIKA LLC.**
Defendant(s).

Civil Action No. 12-cv-8791 (CM)
(GWG)

FIRST AFFIDAVIT OF JENNIFER S. DIAMOND

I, Jennifer S. Diamond, affirm pursuant to 28 U.S.C. § 1746, as follows:

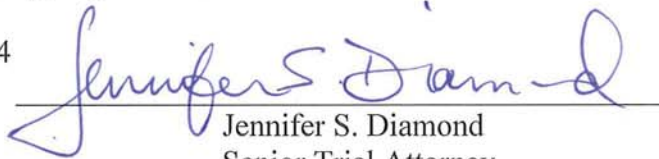
1. I am an attorney duly admitted to practice in Illinois. I am appearing before this Court as counsel for the United States Commodity Futures Trading Commission (“Commission”). I respectfully submit this affidavit in support of the Commission’s Motion Strike The Expert Report of Steven Wollack.

2. Attached to this First Affidavit are a true and correct copies of the following documents which is an exhibit to Plaintiff’s Memorandum in Support of Motion Strike The Expert Report of Steven Wollack:

- i. Attachment A -Highlighted Version of The Expert Report of Steven Wollack,
- ii. Attachment B - Deposition Transcript of Steven Wollack (excerpts)
- iii. Attachment C – Deposition Transcript of Hendrick Bessembinder (excerpts)

I declare under penalty of perjury that the foregoing is true and correct.

Dated: This 12th day of March, 2014
Washington, DC


Jennifer S. Diamond
Senior Trial Attorney

U.S. Commodity Futures trading Commission